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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
GUSHI, ROSS N	

ART UNIT	PAPER NUMBER
2833	

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/777,193	TANACAN ET AL.	
	Examiner	Art Unit	
	Ross N. Gushi	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 10/21/05.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-13 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-13 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/26/05 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Shatkin.

Per claim 1, Shatkin discloses an electrical connector comprising a first contact adapted to slidably engage a phase contact of a mating connector; a second contact adapted to slidably engage a neutral contact of the mating connectors, a third contact adapted to slidably engage a ground contact of the mating connector, a module 47 of

insulating material adapted to be coupled to the electrical connector; indexing (e.g. the printed "off" and "reset" markings) means coupled to the module to orient the module relative to the electrical connector; and a series circuit having light emitting means 55 having an on state and an off state supported by the module of insulating material and electrically coupled to said first and second contacts for indicating if said first and second contacts are connected to a live source of electrical power when slidably engaged to said mating connector by being in its on state, wherein the on and off state is independent of the connection of the third contact to the mating connector.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Greene et al. ("Greene").

Per claim 1, Greene discloses an electrical connector comprising a first contact adapted to slidably engage a phase contact of a mating connector; a second contact adapted to slidably engage a neutral contact of the mating connectors, a third contact adapted to slidably engage a ground contact of the mating connector, a module (shown in figure 8) of insulating material adapted to be coupled to the electrical connector; indexing (e.g. the LED) means coupled to the module to orient the module relative to the electrical connector; and a series circuit having light emitting means 58 having an on state and an off state supported by the module of insulating material and electrically coupled to said first and second contacts for indicating if said first and second contacts are connected to a live source of electrical power when slidably engaged to said mating connector by being in its on state, wherein the on and off state is independent of the connection of the third contact to the mating connector.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Bielefeld. Per claim 1, Bielefeld discloses an electrical connector comprising a first contact adapted to slidably engage a phase contact of a mating connector; a second contact adapted to slidably engage a neutral contact of the mating connectors, a third contact adapted to slidably engage a ground contact of the mating connector, a module (26) of insulating material adapted to be coupled to the electrical connector; indexing (e.g. the Lamp and sliding contacts) means coupled to the module to orient the module relative to the electrical connector; and a series circuit having light emitting means 32 having an on state and an off state supported by the module of insulating material and electrically coupled to said first and second contacts for indicating if said first and second contacts are connected to a live source of electrical power when slidably engaged to said mating connector by being in its on state, wherein the on and off state is independent of the connection of the third contact to the mating connector.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ericson et al. ("Ericson") in view of Bielefeld, Greene, Shatkin, Grill, and Warden et al. ("Warden").

Regarding claim 1, Ericson discloses an electrical connector comprising a first contact adapted to slidably engage a phase contact of a mating connector; a second contact adapted to slidably engage a neutral contact of the mating connectors, a third contact adapted to slidably engage a ground contact of the mating connector; a module 30 of insulating material adapted to be coupled to the electrical connector; indexing means (e.g. screw 58) coupled to the module to orient the module relative to the electrical connector: and a series circuit having light emitting means 110 supported by the module of insulating material and coupled across the first and second contacts for indicating the if the second ends of the contacts are connected to a live source. The Ericson module includes ground fault detection so the on and off state may not be independent of the connection to the ground (third) contact (but see Ericson col. 1, lines 55-60, stating that the ground fault detector includes detectors for sensing improper connection of hot and neutral wires). Bielefeld, Greene, Shatkin, Grill, and Warden are examples of connectors that disclose the well known circuitry of a power indication light in series between the live and neutral wires. At the time of the invention, it would have been obvious to include in the Ericson module an indicator light for indicating power independent of the connection of the third contact, as taught in Bielefeld, Greene, Shatkin, Grill, and Warden. The suggestion or motivation for doing so would have been to indicate power to the connector as taught in Bielefeld, Greene, Shatkin, Grill, and Warden and as is well known in the art.

Per claim 2, the first and second contacts are prongs of a male plug or contacts of a female connector.

Per claim 3, the module of insulating material is adapted to be located within the electrical connector and attached to a portion of the connector coupled to the prongs or contacts.

Claims 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ericson and Bielefeld, Greene, Shatkin, Grill, and Warden as in claim 3 in view of Guss, III et al. ("Guss"). Ericson uses a neon lamp instead of an LED. Guss discloses a power indicator connector and notes the interchangeability of LEDs and neon lamps (see Guss, col. 1, lines 45-55, col. 3, lines 15-20). At the time of the invention, it would have been obvious to replace the Ericson lamps with LEDs as suggested by Guss. The suggestion or motivation for doing so would have been for example cost, availability, simplification of assembly, etc., such motivations being well known in the art.

Claim 5-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ericson, Bielefeld, Greene, Shatkin, Grill, and Warden, and Guss as in claim 4. Ericson does not disclose a resistor and a diode in series with the LED. Greene discloses a power indication circuit module 60 including a resistor 54 and a diode 56 in series with the LED 58. At the time of the invention, it would have been obvious to modify the Ericson circuit (As suggested by Ericson, col. 4, lines 50-55) to be the circuit disclosed by Greene. The suggestion or motivation for doing so would have been for example to simplify the circuitry and/or simplify the manufacturing and assembly of the device, such motivation being well known in the art (Ericson notes that rudimentary indicator circuits including a resistor, diode, and lamp are already well known in the art, col. 1, lines 10-15).

Per claim 6, the series circuit is connected directly to the prongs of the plug or contacts of the connector.

Per claim 7, Ericson discloses a window 38 located to allow light from the LED to pass therethrough.

Per claim 8, Ericson discloses a lens 90 located in the window.

Per claim 9, the lens located in the window is clear.

Regarding claim 10, the Ericson lens may be clear instead of colored. Green discloses colored windows 74. At the time of the invention, it would have been obvious to color the Ericson lens as desired as suggested by Greene. The suggestion or motivation for doing so would have been to facilitate identification of the device as taught in Greene (col. 4, lines 25-30) and as is well known in the art.

Per claim 11, Ericson discloses yieldable conducting members 112 positioned to connect the ends of the series circuit to the first and second contacts.

Per claim 12, the yieldable members comprise conductive springs

(springs are defined as : An elastic device . . . that regains its original shape after being compressed or extended.[1]).

Per claim 13, the conductive springs contact the top ends of the prongs or contacts.

Response to Arguments

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Applicant's arguments have been considered but are moot in view of the new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross Gushi whose telephone number is (571) 272-2005. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Paula A. Bradley, can be reached at 571-272-2800 extension 33. The phone number for the Group's facsimile is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ROSS GUSHI
PRIMARY EXAMINER